

Exhibit A

May 24, 2023 Examination Date

Materials for Trial

Suwon District Court 2023KaHap10122 (Creditor)

Suwon District Court 2023KaHap10129 (Debtor)

2023. 5. 24.

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No need for preservation (Nexon's application for preliminary injunction)

❖ No current imminent danger or the possibility of significant damage

- Nexon itself already suspended the development of the P3 game (30% developed) around 2 years ago
- Nexon's P3 game, dropped 2 years ago, has no possibility of being released
- On Aug. 20, 2021 Nexon filed a lawsuit on the merits against Ju-Hyun Choi in Seoul Central District Court, but neglected the lawsuit

* The lawsuit on the merits was filed in Seoul Central District Court rather than the competent court with jurisdiction (Suwon District Court or Seongnam District Court) in order to cause a delay

- Nexon checked the findings from search & seizure by the investigation agency on Jan. 20, 2022 → Was aware of the fact that IRONMACE was developing Dark and Darker, but took no action

❖ Expected outcome on the lawsuit on merits

- Nexon's allegation presumes that Ju-hyun Choi and others secretly used Nexon's trade secrets → No Nexon materials have been found during the two rounds of search & seizure by the investigation agency
- 2 years of investigation by the investigation agency with a compulsory investigation right (Gyeonggi Nambu Provincial Police Agency Security Investigation Team specialized in trade secret investigations) → Failed to prosecute
- A case in which judgment must be rendered through thorough examination such as source code analysis

2023. 5. 24. 심문기일

변론자료

수원지방법원 2023카합10122(채권자)
수원지방법원 2023카합10129(채무자)

2023. 5. 24.

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보전의 필요성 부존재 (넥슨 가져분 신청)

❖ 현존하는 급박한 위험 내지 현저한 손해가 발생할 가능성 없음

- P3 게임(30% 개발) 이미 약 **2년 전 넥슨 스스로 개발 중단**
- 2년전 드랍된 넥슨의 P3 게임은 출시될 가능성 없음
- 넥슨은 2021. 8. 20. 최주현 상대로 서울중앙지방법원*에 본안소송 제기 후 방치
*시간 지연을 위해 관할법원(수원지방법원 또는 성남지원)도 아닌 서울중앙지방법원에 본안소송 제기
- 넥슨은 수사기관의 2022. 1. 20. 압수수색 결과물을 확인 → 아이언메이스가 Dark and Darker를 개발 중이라는 사실을 알고 있었으나 아무런 조치 X

❖ 본안소송에서의 승패 예상

- 넥슨 주장의 전제는 최주현 등이 넥슨 영업비밀을 숨겨놓고 사용 → 이미 수사기관의 2차례에 걸친 압수수색 결과 넥슨의 자료는 일체 발견되지 않음
- 강제수사권을 가진 수사기관(영업비밀 수사 전문 경기남부지방청 안보수사대) 2년 수사 → 기소 못함
- 본안소송에서 소스코드 감정 등의 충실한 심리를 통해 결론을 내야 하는 사건



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CERTIFICATE OF TRANSLATION

We certify that the Korean to English translation of “M.Park – Exhibit A (PPT)” is an accurate and complete rendering of the contents of the source document to the best of our knowledge and ability.

Date: July 10, 2023

1, Gwanak-ro, Gwanak-gu, Seoul, Republic of Korea

Bering Lab Inc.

